

Appl. No.: 10/767,669
Amdt. dated July 30, 2007
Reply to Final Office action of July 11, 2007

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Remarks/Arguments

It is noted with appreciation that claims 24 and 25 are allowed and that claims 29, 33 and 35 are directed to allowable subject matter and would be allowed if written in independent form.

The objection of the drawings as failing to show the claimed framing element having a hook element and the clamping bracket having a snap connection is noted. The objection fails to point to a claim calling for this structure. Clarification is requested.

It is noted that claim 24 references a hook element and a snap connection, however, the claim simply calls for one of the clamping bracket and the hook element have a snap connection and a hook element. The claim does not call for both to have the snap connection and hook element. The drawing supports the structure as here claimed.

Claims 26-35 are rejected under 35 USC 112, second paragraph as indefinite. The rejection states that in independent claim 26, line 9, the phrase "said configured area" is indefinite as it is not clear whether the framing or bracket configured area is referenced. In accordance with the examiner's suggestion, it is proposed to insert after "configured area" -- of said bracket -- to clarify which element is intended.

Also, lines 12-14 are questioned. The rejection states it is not clear whether the connectors are doing the securing or if some unrecited structure is doing the securing.

It is believed that the claim as presented is clear in this area. However, it is proposed to amend line 11, after "with" by inserting -- each of --. This more clearly states that the claimed connectors engage with each of the framing, the bracket and the

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positioning element securing the framing and brackets against the holding element and the positioning apparatus with the bracket strips.

It is respectfully requested that the proposed amendment to claim 26 be entered.

Claims 26 and 30-32 are rejected under 35 USC 102(b) as anticipated by Lang, et al '703 or Lang '577. Both rejections are traversed as being improper as neither reference anticipates the claimed structure under 35 USC 102 or 103.

The reference Lang, et al '703 discloses a mirror assembly including a mirror support 3 which includes a bearing ring 35 which engages with bearing 36 by way of fastener 42'. As set forth in column 4, lines 10-23, support plate 47 includes clamp bearings 43' to which clamp fittings 44' are fitted by fasteners 45'. Housing member 48 is secured with the support plate 47. Also, bearing 36 is integral with support plate 47.

The rejection states framing 43, 43' and holding element 44 include upper strip and lower strip. The specification fails to support such structure. The rejection references holding elements, i.e. screws which connect elements 47 and 48. The specification merely states these members are secured. The rejection references a bracket 44' having upper and lower strips. No such structure is set forth.

Turning specifically to claim 26, the claim calls for a carrier plate supporting a mirror and positioning apparatus (34) supporting the carrier plate. The claim calls for a framing (4) having a configured area (14) engaged with a holding element. The claim calls for a bracket (12) having an upper strip or a lower strip (42, 44) and a configured area (16) engaged with the holding element. Finally, the claim calls for a plurality of connectors (24) engaged with each of the positioning apparatus, the framing and the

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bracket, the connectors securing the framing and bracket against the holding element and securing the positioning apparatus with the upper and lower strips of the bracket.

In the '703 reference, the positioning apparatus is secured with bearing 36 of support plate 47 by fastener 42'. It is not secured with upper and lower strips of a bracket. As clearly shown in Fig. 7 of the reference, the disclosed structure includes support plate 47 which includes vertically spaced bearing 43'. Clamp fitting 44' is secured to bearing 43' while the mirror control is secured to bearing 36 of plate 47 by pin 42'. No connectors are disclosed which engage the positioning apparatus the framing and the bracket securing the framing, the bracket with the holding element and the positioning apparatus with the upper and lower strips of the bracket. Clearly connectors 24 of the application so function.

For these reasons, it is believed claim 26 clearly defines over the '703 reference.

Claims 27, 28, 29, 30, 31 and 33 depend from claim 26 and are thought to be allowable for the above stated reasons.

Turning now to the '577 reference, a mirror assembly is disclosed which includes a retaining device (53) consisting of two thrust bearings (55) vertically spaced and formed in projection (58) of support plate (51). Clamp (56) is engaged with thrust bearing (55) through projection (58) by screws (57). See column 5, lines 15-35.

The mirror carrier plate (63) is connected with bearing shell (82) by way of bearing shell (89) and screw (85). Bearing shell (82) is a part of support plate (51) which is secured with housing (68) by screws (71). Thus, carrier plate (63) is connected to positioning apparatus (60) by screw (85) and to housing (68) by screw (71). Screw

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(71) engages between housing base (69) and support plate (51). The holding element is engaged between claim (56) and bearing (55) by screws (57).

Turning now to claim 26, the claim calls for a framing (member 4) having a configured area (14) engaged with the holding element. The claim calls for a bracket (member 12) having an upper strip (42) and a lower strip (44) and a configured area (16) with the configured area of said bracket adjacent the upper and lower strip engaged with the holding element. It is here noted that the '571 reference does not contain the bracket structure as set forth. The claim calls for a plurality of connectors (24) engaged with each of the positioning apparatus, the framing and the bracket securing the framing and the bracket against the holding element and securing the positioning apparatus (34) with the upper 942) and lower strips (44) of the bracket (12). Nowhere in the '577 reference is structure disclosed resembling upper and lower strips of the bracket to which the positioning apparatus is secured by connectors which connectors also secure the bracket and the framing to the holding element.

For these reasons, it is believed that claim 26 clearly defines over the reference of the rejection.

Claims 27-35 all depend from claim 26 and are thought to be allowable for the stated reasons.

Claims 27 and 28 are rejected under 35 USC 103(a) as unpatentable over Lang, et al '703 or '577 in view of Schultz, and claim 34 as unpatentable over '703 or '577 in view of Bos, et al and Perry. These rejections are thought to be overcome as above stated and further comment is not thought to be necessary.

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An earnest effort has been made to remove all indefiniteness and place the claims in condition for allowance. It is, therefore, respectfully urged that the examiner enter the amendment, find the claims allowable and pass the case to issue.

It is respectfully requested that should the examiner find the claims not to be allowable, entry of the amendment is requested for the purpose of appeal.

Respectfully submitted,



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